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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1957
No. 611

GEORGE H. TAYLOR, MAUDE T. MONTGOMERY, MARIE A. LEITCH and JULIA M. TAYLOR,
Appellants

v.

COMMONWEALTH OF KENTUCKY - Appellee

MOTION TO DISMISS APPEAL

JO M. FERGUSON
Attorney General of Kentucky

WILLIAM F. SIMPSON
Assistant Attorney General
Counsel for Appellee
Commonwealth of Kentucky
Frankfort, Kentucky

I hereby certify that I have served a true copy of the within motion on the Appellants by mail by depositing the same in a United States Post Office with first class postage prepaid and addressed to counsel of record at their post office addresses, to-wit: Alexander H. Sands, American Building, Richmond, Virginia, Littleton M. Wickham, American Building, Richmond, Virginia and H. V. Forsyth, Ashland, Kentucky, Counsel for Appellants.

This the 12th day of December, 1957.

William F. Simpson
Assistant Attorney General
Frankfort, Ky.

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Appellee, Commonwealth of Kentucky, moves the Court to dismiss the appeal herein on the grounds that it does not present a substantial Federal question; that the Federal question sought to be reviewed was not timely or properly raised, or expressly passed on, and that the judgment rests on an adequate non-federal basis. Rule 16.

Preston v. Chicago, Ill.,
226 U. S. 447, 57 L. Ed. 293

Wood v. Chesborough,
228 U. S. 672, 57 L. Ed. 1018

Davidson v. New Orleans,
96 U. S. 97, 24 L. Ed. 616

French v. Taylor,
199 U. S. 274, 50 L. Ed. 189

O'Connor v. Texas,
202 U. S. 501, 50 L. Ed. 1120

Elder v. Wood,
208 U. S. 226, 52 L. Ed. 464

O'Neil v. Vermont,
144 U. S. 323, 36 L. Ed. 450

J. Bacon & Sons v. Martin,
265 U. S. 380, 83 L. Ed. 233

Seaboard Air Line Ry. Co. v. Watson,
287 U. S. 86, 77 L. Ed. 180

Radio Station WOW v. Johnson,
326 U. S. 120, 89 L. Ed. 2092

McGoldrick v. Compagnie Generale Transatlantique,
309 U. S. 430, 84 L. Ed. 849

Northwestern Bell Telephone Co. v. Nebraska State Ry. Commission,
297 U. S. 471, 80 L. Ed. 810

Cox v. Texas,
202 U. S. 446, 50 L. Ed. 1099

Jo M. Ferguson
Attorney General of Kentucky

William F. Simpson
Assistant Attorney General

COUNSEL FOR APPELLEE
Commonwealth of Kentucky
Frankfort, Kentucky.